

**EXHIBIT 2**

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

IN RE: . Case No. 23-12825 (MBK)  
LTL MANAGEMENT LLC, .  
Debtor. . U.S. Courthouse  
402 East State Street  
Trenton, NJ 08608  
. . . . .  
LTL MANAGEMENT LLC, . Adv. No. 23-01092 (MBK)  
Plaintiff, .  
v. .  
THOSE PARTIES LISTED ON .  
APPENDIX A TO COMPLAINT AND .  
JOHN AND JANE DOES 1-1000, .  
Defendants. . Tuesday, April 18, 2023  
. . . . . 10:00 a.m.

TRANSCRIPT OF HEARING ON  
MEMORANDUM OF LAW IN SUPPORT OF MOTION BY MOVANT ANTHONY  
HERNANDEZ VALADEZ FOR AN ORDER (I) GRANTING RELIEF FROM THE  
AUTOMATIC STAY, SECOND AMENDED EX PARTY TEMPORARY RESTRAINING  
ORDER, AND ANTICIPATED PRELIMINARY INJUNCTION, AND (II) WAIVING  
THE FOURTEEN-DAY STAY UNDER FEDERAL RULE OF BANKRUPTCY  
PROCEDURE 4001(a)(3) [DOCKET 71]; AND DEBTOR'S MOTION FOR AN  
ORDER (I) DECLARING THAT THE AUTOMATIC STAY APPLIES OR EXTENDS  
TO CERTAIN ACTIONS AGAINST NON DEBTORS OR (II) PRELIMINARILY  
ENJOINING SUCH ACTIONS AND (III) GRANTING A TEMPORARY  
RESTRAINING ORDER EX PARTE PENDING A HEARING ON A PRELIMINARY  
INJUNCTION [ADVERSARY DOCKET 2]; AND MOTION TO SEAL; AND  
SERVICE PROCEDURES MOTION

**BEFORE THE HONORABLE MICHAEL B. KAPLAN  
UNITED STATES BANKRUPTCY COURT JUDGE**

Audio Operator: Kiya Martin

Proceedings recorded by electronic sound recording, transcript  
produced by transcription service.

---

**J&J COURT TRANSCRIBERS, INC.**  
268 Evergreen Avenue  
Hamilton, New Jersey 08619  
E-mail: jjcourt@jjcourt.com

**(609) 586-2311 Fax No. (609) 587-3599**

Kim - Cross/Placitella

165

1 transferred them to the parent, which was Janssen, with the  
2 notion that you were going to put it in still another  
3 subsidiary called Kenvue, right?

4 MS. BROWN: Objection, Your Honor.

5 THE COURT: What's the basis?

6 MS. BROWN: It assumes facts. There's no factual  
7 support for these allegations.

8 MR. PLACITELLA: I'm going to go right through it,  
9 Judge.

10 MS. BROWN: And this is a complaint that he's filed  
11 and it is inconsistent with the facts.

12 MR. PLACITELLA: The complaint quotes from your  
13 affidavit, sir. So let's just talk to it.

14 THE COURT: Well, are you just reciting the  
15 complaint? Or --

16 MR. PLACITELLA: I'm asking if my complaint correctly  
17 cites his affidavit and what he believes to be true.

18 THE COURT: And what's the purpose?

19 MR. PLACITELLA: The purpose is to demonstrate here  
20 that Johnson and Johnson, while the Third Circuit's decision  
21 was pending, was moving assets out of Old JJCI -- out of New  
22 JJCI into Janssen with the intention of then moving those  
23 assets again to Kenvue. And they brought to this Court trying  
24 to extend the TRO to those transfers.

25 And my client, Justin Bergeron, under New Jersey law,

Kim - Cross/Placitella

166

1 has every right to proceed against Janssen and Kenvue in the  
2 chain of distribution of those assets. It wasn't me that  
3 brought this to the Court, Your Honor. They brought it to the  
4 Court late last night.

5 They didn't tell the Court that the reason they were  
6 doing it was because Mr. Bergeron had sued them. They just  
7 said, can't we just add these on, Judge? No big deal. And it  
8 is a big deal.

9 THE COURT: All right. It's more of an argument,  
10 which is fine. What specific questions --

11 MR. PLACITELLA: Well, can I go through the facts,  
12 please?

13 THE COURT: Okay. I'm trying to make sure that  
14 everybody can have an opportunity to go forward.

15 MR. PLACITELLA: Okay.

16 BY MR. PLACITELLA:

17 Q Sir, do you --

18 MS. BROWN: I'm sorry, Your Honor, and just as to the  
19 objection that we're reading unsubstantiated allegations in a  
20 complaint into the record, I object to that.

21 THE COURT: Why don't you ask Mr. Kim if he has  
22 knowledge of this transaction?

23 BY MR. PLACITELLA:

24 Q Sir, you just told the U.S. Trustee that you transferred  
25 the assets of New JJCI to the parent Janssen, correct?

1 Your Honor, the same is true whether there's one  
2 claimant complaining about this. There were comments made  
3 earlier that there's only 100 people complaining, or 15 people  
4 complaining, what have you. I'm standing here with thousands  
5 of ovarian cancer claimants. But that issue aside, Your Honor,  
6 the issue is the same whether it's one or thousands of us. We  
7 found that argument, Your Honor, to be ridiculous and frankly  
8 offensive. And Your Honor, we'd ask that the motion for  
9 preliminary injunction be denied. Thank you, Your Honor.

10 THE COURT: Thank you, Ms. Jones. Mr. Placitella.

11 MR. PLACITELLA: If I'm more than two minutes, you  
12 give me the hook, Your Honor.

13 THE COURT: Your colleagues will do that. Go ahead.

14 MR. PLACITELLA: Janssen and Kenvue are not protected  
15 parties under this Court's TRO and there's no basis in law or  
16 fact to enjoin plaintiffs from proceeding against them,  
17 including Mr. Burgeron (phonetic). They asked in the middle of  
18 the night, they submitted a pleading sticking Janssen and  
19 Kenvue with a pleading with no facts whatsoever. And I asked  
20 Mr. Kim, why did you do it? He said it was a knee jerk  
21 reaction. You filed a lawsuit, we figured we could go to Judge  
22 Kaplan, he'd fix it for us.

23 But there has been no proof today. I asked Mr. Kim,  
24 what do you know about Kenvue? Nothing. What do you know  
25 about Janssen? Nothing. So they have not satisfied their

1 burden of proof to impose an injunction as it relates to those  
2 parties. LTL has no -- There was no issue about shared  
3 insurance, indemnity claims, all these things that they're  
4 talking about. LTL has no standing to make arguments about  
5 Kenvue or Janssen. There's nothing to support jurisdiction  
6 respectfully of this Court concerning those claims.

7 And whether Janssen and Kenvue are responsible to Mr.  
8 Burgeron who's dying of cancer with two minor children is  
9 something for the trial Court to determine under law of the  
10 State of New Jersey. And if J&J or LTL or whoever -- Forget  
11 it. They have nothing to say about it. If Kenvue or Janssen  
12 think that's wrong, they can go to the appellate courts. But  
13 that's a matter of State law, it's not a matter for this Court.  
14 Thank you very much for hearing me.

15 THE COURT: Thank you, Mr. Placitella.

16 MR. SIMON: Good evening, Your Honor. My name is  
17 Jeffrey Simon and I filed a pro hac yesterday. May I be heard  
18 with a few brief remarks?

19 THE COURT: Absolutely.

20 MR. SIMON: Thank you. As I said, my name is Jeffrey  
21 Simon. I'm losing my voice, but I'm with the law firm of Simon  
22 Greenstone Panatier and we are a firm that specializes in mass  
23 tort litigation and particularly mesothelioma litigation. I  
24 personally have been trying mesothelioma cases for over 30  
25 years. Our firm has tried many talc related mesothelioma